

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

December 28, 1998 - January 1, 1999

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
12-29	EX	74/651,835	Valley Dental, Inc.	Cissel* Chapman Wendel	whether, as evidenced by the specimens of record, the matter sought to be registered is being used as a service mark for the services recited in the application; whether a more definite recitation of services is required	Refusal Reversed		"CENTRAL SALLY" [promoting dental services and dental health to children through the use of cartoon characters displayed upon promotional materials including balloons, pins, erasers, puppets, pencils, stickers, magnets, certificates, and club membership identification cards]		Salemi	No
12-30	EX	75/162,788	William H. Eilberg	Simms* Seeherman Hohein	whether the matter asserted for registration, when used in the manner shown on applicant's specimens, is capable of functioning as a service mark for the services recited in the application	Refusal Affirmed		"WWW.EILBERG.COM" [legal services in the field of intellectual property]		Thayer	Yes

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
December 28, 1998 - January 1, 1999 (continued)

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12-30	EX	74/598,109	No Fear, Inc.	Sams Simms Chapman*	2(d)	Refusal Affirmed		"ONLY THE BRAVE" [wearing apparel, namely, t-shirts, shirts, shorts, pants, sweat shirts, sweat pants, hats, visors, shoes, sandals, and belts]	"DIESEL - ONLY - THE - BRAVE - DIESEL" (and design incorporating an Indian head) [pants, shorts, shirts, t-shirts, tracksuits, sweatshirts, shoes, belts, etc.]	Saito	No
12-31	EX	75/000,903	The Paper Magic Group, Inc.	Cissel Hairston Wendel*	2(d); requirement for a new special form drawing (without gray tones)	Refusal Affirmed (on both grounds)		"KIDS STUFF" (and design) [Halloween and costume novelty masks, capes, wigs, hats, pantyhose and tights]	"KIDSTUFF" [children's clothing, namely, shorts, shirts, overalls and play suits]	Fickes	No
12-31	OPP	99,179	Bahlsen KG v. Wild Ideas Int'l., Inc.	Seeherman Quinn* Walters	2(d)	Opposition Sustained	"ZOO" [cookies]	"ZOOKIES" [cookies]			No

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